



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

December 9, 2015

BY ECF

The Honorable William H. Pauley, III
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

**Re: United States v. James Capers et al.,
15 Cr. 607 (WHP)**

Dear Judge Pauley:

The Government writes to respectfully request that the status conference in the above-captioned case, which is currently scheduled for December 18, 2015, be adjourned until 3:00 p.m. on January 29, 2016. At present, the Government has recently provided discovery, which defense counsel is beginning to review to determine whether to file any motions. The parties also intend to engage in preliminary discussions regarding the possibility of pretrial dispositions. Accordingly, the Government requests that time be excluded between December 18, 2015 and January 29, 2016, in order for defense counsel to review discovery and for the parties to attempt to work out dispositions of the case. The Government has conferred with defense counsel, all of whom have indicated that they consent to the adjournment of the conference and exclusion of time. A proposed Order for the Court's consideration is enclosed.

Respectfully submitted,

PREET BHARARA
United States Attorney

By: Jessica Lonergan

Jessica Lonergan
Scott Hartman
Jason Swergold
Assistant United States Attorneys
(212) 637-1038 / 2357 / 1023

cc: all counsel (by ECF)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
UNITED STATES OF AMERICA :
- v. - : ORDER
JAMES CAPERS et al., : 15 Cr. 607 (WHP)
Defendants. :
- - - - - x

Upon the application of the United States of America, by
and through Preet Bharara, United States Attorney, Jessica
Lonergan, Scott Hartman, and Jason Swergold, of counsel:

The Court finds that the ends of justice served by granting
a continuance outweigh the best interests of the public and the
defendants in a speedy trial, because it will permit defense
counsel to review discovery and the parties to discuss possible
pretrial dispositions. Accordingly, it is ORDERED that the time
between December 18, 2015 and January 29, 2016 is hereby
excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A),
in the interests of justice.

SO ORDERED.

Dated: New York, New York
December __, 2015

THE HONORABLE WILLIAM H. PAULEY, III
UNITED STATES DISTRICT JUDGE